

## **EXHIBIT 6**

**In The Matter Of:**

*Healthy Advice Networks, LLC*

*vs.*

*ContextMedia, Inc.*

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*Rishi Shah*

*March 12, 2014*

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**MERRILL CORPORATION**

**Legalink, Inc.**

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1	09:26:22	Who was involved in forming the company?
2	09:26:25	A. The company was formed in 2006.
3	09:26:29	Q. Can you keep your voice up. I'm having a
4	09:26:31	little bit of trouble hearing.
5	09:26:33	A. Sure.
6	09:26:34	The company was formed in 2006. The
7	09:26:38	founders were myself, Shradha Agarwal, and Derek
8	09:26:45	Moeller.
9	09:26:49	Q. How did you come up with the idea to form
10	09:26:51	Context?
11	09:26:55	A. All three of us, Shradha, Derek and myself,
12	09:26:58	were students at Northwestern University. We had
13	09:27:02	built a university-owned business undergraduate
14	09:27:07	student organization, and in doing so had discovered
15	09:27:15	technologies around mobile media that were very
16	09:27:19	interesting to us.
17	09:27:22	We attended a conference where we saw the
18	09:27:25	topic of digital place-based media along with mobile
19	09:27:30	media covered, and I, in particular, instinctually
20	09:27:36	thought that healthcare would be a place to produce
21	09:27:41	great impact of social benefit if place-based media
22	09:27:46	could be delivered in an effective manner. My
23	09:27:49	sister has Type 1 diabetes, my father is a
24	09:27:54	physician, and I saw quickly how this sort of

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1 09:28:00 programming could help patients and healthcare  
2 09:28:03 providers alike. And that background along with our  
3 09:28:08 interest in the technology led us to form the  
4 09:28:12 company.

5 09:28:14 Q. Did you understand at or around the time of  
6 09:28:17 the formation of the company that there were other  
7 09:28:19 companies that were providing patient education,  
8 09:28:23 patient information in the waiting room setting?

9 09:28:27 A. At that specific time, prior to April of  
10 09:28:29 2006, I do not recall that we were aware of other  
11 09:28:34 companies with video monitors in doctors' offices.  
12 09:28:38 Many people in the industry we came across mentioned  
13 09:28:44 attempts by companies such as Whittle in years past  
14 09:28:48 to do something similar, whether in healthcare or in  
15 09:28:52 other places, but it was mostly in the context of  
16 09:28:56 efforts that had failed rather than an active  
17 09:29:00 marketplace.

18 09:29:03 Q. At what point in time after the formation  
19 09:29:05 of the company in April of 2006 did you become aware  
20 09:29:09 that there was competition in the point-of-care  
21 09:29:14 industry, if that's the right term to use?

22 09:29:17 A. I do not recall the exact date upon which I  
23 09:29:21 became aware of a competitor in the point-of-care  
24 09:29:24 industry. I suspect it would have been no later

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1 09:29:28 than 2007 or 2008, somewhere in that two-year time  
2 09:29:34 frame as we began to acquire physician practices and  
3 09:29:42 advertising revenue from manufacturers and ad  
4 09:29:45 agencies.

5 09:29:48 Q. Whenever it was that you became aware of  
6 09:29:51 competition in the point-of-care business or the  
7 09:29:53 point-of-care industry, who were the competitors of  
8 09:29:58 which you became aware?

9 09:30:05 A. Again, I do not recall all of the  
10 09:30:07 competitors I became aware of and when and in what  
11 09:30:10 order, but a few of the names that come to mind are  
12 09:30:15 AccentHealth, Healthy Advice, and -- again, there  
13 09:30:21 were a number of others, but I do not recall the  
14 09:30:24 order and the names of them all.

15 09:30:31 Q. As I understand it, both from prior  
16 09:30:33 testimony and things I've read, the first network  
17 09:30:36 that was formed by Context was the Diabetes Health  
18 09:30:41 Network; is that correct?

19 09:30:41 A. That is the first vertical we focused on.

20 09:30:45 Q. And why did you choose that vertical, the  
21 09:30:48 Diabetes Health Network to focus on?

22 09:30:51 A. As we discussed briefly around the  
23 09:30:54 formation of the business, I had family members with  
24 09:30:58 diabetes. My co-founder, Shradha, had family

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1 09:31:04 members with diabetes. We thought there was  
2 09:31:09 tremendous opportunity to improve health outcomes by  
3 09:31:12 providing lifestyle and medical education in this  
4 09:31:16 point-of-care context. We had a passion to do so  
5 09:31:21 around diabetes because of our background and  
6 09:31:25 affinity for helping those suffering from that  
7 09:31:28 condition. The plan was always to expand beyond  
8 09:31:33 that first vertical as we have done, but we chose  
9 09:31:37 that first vertical because of our affinity for that  
10 09:31:40 condition.  
11 09:31:42 Q. Was the plan to make money, to generate  
12 09:31:47 revenue?  
13 09:31:48 A. The plan was to generate revenue.  
14 09:31:51 Q. Let's focus on 2006. Did -- during 2006,  
15 09:31:56 were you -- was Context successful in recruiting and  
16 09:31:59 obtaining any members? And by "members," I mean  
17 09:32:02 physician practices.  
18 09:32:03 A. From the period of 2006 and '7, as I don't  
19 09:32:06 recall the specifics around merely 2006,  
20 09:32:11 Contextmedia was successful in recruiting several  
21 09:32:15 physician practices or what we call members.  
22 09:32:22 Q. And how did you go about doing that? Just  
23 09:32:26 kind of walk me through --  
24 09:32:29 COURT REPORTER: Sorry. I couldn't hear you.

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1	09:32:31	MR. COWAN: No more coughing.
2	09:32:33	MR. O'BRIEN: Got you. I covered the mic.
3	09:32:35	BY MR. COWAN:
4	09:32:35	Q. How did you go about doing that? Walk me
5	09:32:37	through the process by which Context was able to
6	09:32:41	recruit and obtain members for the DHN?
7	09:32:47	A. We recruited members by calling them,
8	09:32:50	calling them on the telephone. We recruited members
9	09:32:52	in some cases by visiting offices. We recruited
10	09:32:56	members initially early on by using some of the
11	09:33:00	networks we had personally and had access to. So
12	09:33:05	all of the above. We recruited members through
13	09:33:08	attending events, those sorts of traditional means
14	09:33:12	of commercializing or selling to our market.
15	09:33:16	Q. When did Context obtain its first sponsor?
16	09:33:25	By that I mean a pharmaceutical company or some
17	09:33:28	other entity that was paying Context to show ads,
18	09:33:38	that sort of thing.
19	09:33:40	A. It was prior to 2008.
20	09:33:42	Q. Prior to 2008?
21	09:33:43	A. Prior to 2008.
22	09:33:44	Q. And do you recall who it was?
23	09:33:48	A. I do not recall exactly who the first
24	09:33:52	advertiser was. I know that the first few included

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1 09:34:00 a medical supply company, but that is all that I  
2 09:34:04 recall.

3 09:34:05 Q. Would the medical supply company have had  
4 09:34:09 products that were relevant to the diabetes  
5 09:34:16 patients?

6 09:34:17 A. Correct.

7 09:34:21 Q. How many practices did -- how many members  
8 09:34:28 did Context have as of year-end 2008?

9 09:34:37 A. To the best of my recollection, Context had  
10 09:34:39 approximately 600 or so members at the year-end of  
11 09:34:45 2008. Although it was a period of rapid growth. So  
12 09:34:51 it may have been more or less than that as it was  
13 09:34:56 not a static number.

14 09:34:59 Q. Were they all -- were all of the members in  
15 09:35:02 the -- members in the DHN, the Diabetes Health  
16 09:35:05 Network?

17 09:35:06 A. At that time, yes.

18 09:35:09 Q. And how many members did Context have at  
19 09:35:13 year-end 2009?

20 09:35:16 A. I do not recall the number of members at  
21 09:35:19 year-end 2009.

22 09:35:20 Q. Do you recall -- do you recall if it was  
23 09:35:22 less or more than 600?

24 09:35:24 A. I believe it was more than 600.